

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**  
**SPECIAL CRIMINAL APPLICATION No. 1504 of 2007**

**For Approval and Signature:**

**HONOURABLE MR.JUSTICE M.R. SHAH**

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- 1 Whether Reporters of Local Papers may be allowed to see the judgment ?
- 2 To be referred to the Reporter or not ?
- 3 Whether their Lordships wish to see the fair copy of the judgment ?
- 4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
- 5 Whether it is to be circulated to the Civil Judge?

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**HINABEN ANILBHAI SURTI - Applicant(s)**  
**Versus**  
**STATE OF GUJARAT & 6 - Respondent(s)**

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**Appearance :**

MR NK MAJMUDAR for Applicant(s) : 1,  
 MR KT DAVE, ADDL. PUBLIC PROSECUTOR for Respondent(s) : 1,  
 None for Respondent(s) : 2 - 7.

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**CORAM : HONOURABLE MR.JUSTICE M.R. SHAH**

**Date : 16/08/2007**

**ORAL JUDGMENT**

By way of this petition under Article 226 of the Constitution of India, the petitioner - original applicant has made a grievance that inspite of her

complaint to the P.I., Ankleshwar dated 19.6.2007, the same was not registered as FIR and therefore, the petitioner approached the D.S.P., Bharuch making a grievance against non-registration of the FIR by the concerned police officer of Ankleshwar police station.

Considering the provisions of Section 154(3) of the Cr.P.C. - ***"Any person aggrieved by a refusal on the part of an officer in charge of a police station to record the information referred to in subsection (1) of Section 154 may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who, if satisfied that such information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any police officer subordinate to him, in the manner provided by the Cr.P.C."***

Under the circumstances, when the petitioner has already now approached the D.S.P., Bharuch, the D.S.P., Bharuch is directed to look into

the information / application submitted by the petitioner on 19.6.2007 and if he is satisfied that such information discloses the commission of a cognizable offence, he is directed to either investigate the case himself or direct an investigation to be made by any police officer subordinate to him. Thus, the concerned D.S.P., Bharuch is directed to act as per Section 154(3) of the Cr.P.C. Such an exercise to be carried out within a four weeks from today.

With these, present application is disposed of. Direct Service is permitted.

(M.R.Shah, J.)

*satish*